

APPEAL NO. 042464
FILED NOVEMBER 22, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on September 8, 2004. The hearing officer resolved the disputed issues by deciding that the respondent's (claimant) compensable injury of _____, includes an injury to the cervical spine consisting of herniations from C3-4 through C6-7, lumbar spine disc herniation at L5-S1, a disc bulge at L4-5, and left shoulder impingement syndrome. The appellant (carrier) appeals, contending that the evidence does not support the hearing officer's decision. No response was received from the claimant.

DECISION

Affirmed.

It is undisputed that the claimant sustained a compensable injury when he was involved in a motor vehicle accident. Conflicting evidence was presented with regard to the extent of the compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. Although there is conflicting evidence in this case, we conclude that the hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **CONTINENTAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Margaret L. Turner
Appeals Judge